

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN JOYCE,

No. C 07-05404 JCS

Plaintiff(s),

**CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE**

v.

MIDWESTERN WHOLESALERS INC,

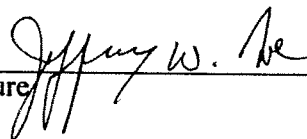
Defendant(s).

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party in the above-captioned civil matter hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit

Dated: November 14, 2007

Signature



Counsel for Defendant/Counterclaimant
(Name or party or indicate "pro se")

PROOF OF SERVICE

I am employed in the county of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 4550 California Avenue, Bakersfield, California 93309.

On November 14, 2007, I served the foregoing document described as follows:

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

☒ by placing the true copies thereof
☐ by placing the original

addressed as follows:

Sarah S. Wright, Esq.
 The Wright Law Firm
 340 Redwood Highway, Ste. F229
 San Rafael, CA 94903
 Attorney for Plaintiff

☒ **BY MAIL** I enclosed such document in sealed envelope(s) with the name(s) and address(s) of the person(s) served as shown on the envelope(s) and caused such envelope(s) to be deposited in the mail at Bakersfield, California. The envelope(s) was/were mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY FACSIMILE** I placed such document in a facsimile machine (pursuant to *California Rules of Court*, Rule 2003(3)) on _____, at _____, with the fax number of (661)326-0418. Upon facsimile transmission of the document, I obtained a report from the transmitting facsimile machine stating that the facsimile transmission was complete and without error. A copy of the transmission report is attached to this Proof of Service pursuant to *California Rules of Court*, Rule 2008(e).

☒ **BY ELECTRONIC MAIL** I caused the above-mentioned document(s) to be electronically filed with the Northern District of the United States District Court, which also constitutes service by email. (See, e.g., General Order No. 45, section IX.A and .B.)

☐ **BY OVERNIGHT MAIL SERVICE**

KLEIN, DENATALE, GOLDNER,
 COOPER, ROSENBERG, & KIMBALL, LLP
 4550 CALIFORNIA AVENUE, SECOND FLOOR
 POST OFFICE BOX 11172
 BAKERSFIELD, CALIFORNIA 93389-1172

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☐ **BY PERSONAL SERVICE** I caused such envelope(s) to be delivered by hand to the offices of the addressee(s).

Executed on **November 14, 2007**, at Bakersfield, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Paula Smith
Type or Print Name

/s/ Paula Smith
Signature